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## **EXHIBIT 9**

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Patent Term Extension Calculations for  
Patent Term Extension of  
U.S. Patent No. 5,565,467

## Patent Term Extension Calculation for U.S. Patent No. 5,565,467

<b>Patent Issue Date:</b>	<b>15 Oct 1996</b>	<b>Testing Phase</b>
		IND Phase / 2 = $1528 / 2 =$ <b>764 days</b>
<b>Period of Testing Phase – IND 47,838</b>		<b>Period of Approval Phase – NDA 21-319</b>
24 April 1995 through		NDA Submission Date: <b>21 Dec 2000</b>
20 December 2000 is:		NDA Approval Date: <b>20 Nov 2001</b>
24 Apr 95 – 23 Apr 96 =	366	<b>Period of Approval Phase:</b>
24 Apr 96 – 23 Apr 97 =	365	21 Dec 00 – 31 Dec 00 = 10
24 Apr 97 – 23 Apr 98 =	365	1 Jan 01 – 31 Jan 01 = 31
24 Apr 98 – 23 Apr 99 =	365	1 Feb 01 – 29 Feb 01 = 28
24 Apr 99 – 24 Apr 00 =	366	1 Mar 01 – 31 Mar 01 = 31
24 Apr 00 – 23 May 00 =	29	1 Apr 01 – 30 Apr 01 = 30
24 May 00 – 23 Jun 00 =	31	1 May 01 – 31 May 01 = 31
24 Jun 00 – 23 Jul 00 =	30	1 Jun 01 – 30 Jun 01 = 30
24 Jul 00 – 23 Aug 00 =	31	1 Jul 01 – 31 Jul 01 = 31
24 Aug 00 – 23 Sep 00 =	31	1 Aug 01 – 31 Aug 01 = 31
24 Sep 00 – 23 Oct 00 =	30	1 Sep 01 – 30 Sep 01 = 30
24 Oct 00 – 23 Nov 00 =	31	1 Oct 01 – 31 Oct 01 = 31
24 Nov 00 – 20 Dec 00 =	27	1 Nov 01 – 20 Nov 01 = 20
	<hr/> <b>2067 days</b>	<hr/> <b>334 days</b>
<b>Period of IND post-patent issuance</b>		
24 April 1995 through		IND phase/2 + NDA phase = $764+334 = 1098$
15 October 1996 is:		<b>Total Patent Term Extension: 1098 days</b>
24 Apr 95 – 23 Apr 96 =	365 days	<b>Expiration + 1098-Day Patent Term Extension:</b> <b>18 Oct 2016</b>
24 Apr 96 – 23 May 96 =	29	
24 May 96 – 23 Jun 96 =	31	
24 Jun 96 – 23 Jul 96 =	30	
24 Jul 96 – 23 Aug 96 =	31	
24 Aug 96 – 23 Sep 96 =	31	
24 Sep 96 – 15 Oct 96 =	<hr/> 22	
	<hr/> <b>539 days</b>	
<b>Applicable Period of Testing Phase</b>		<b>Patent Term Extension subject to 14 Year Cap:</b> <b>769 days</b>
2067 days – 539 days =	1528 days	<b>Expiry with Extension:</b> <b>20 Nov 2015</b>